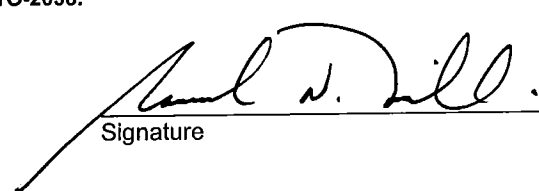


<b>NOTICE OF APPEAL</b> <b>FROM THE EXAMINER TO THE BOARD OF PATENT</b> <b>APPEALS AND INTERFERENCES</b>		Docket Number (Optional) 9683/231	
<p style="text-align: center;"><u>Certificate of EFS Filing Under 37 CFR §1.8</u></p> <p>I hereby certify that this correspondence is being electronically transmitted via the EFS to the United States Patent and Trademark Office, Commissioner for Patents, via the EFS pursuant to 37 CFR §1.8 on the below date:</p> <p>Date: <u>February 18, 2010</u>      Name: <u>Deanna L. Hasler</u></p> <p>Signature: <u><i>Deanna L. Hasler</i></u></p>		In re Application of Toshiyasu Yabe et al.	
		Application No. 10/526,114	Filed November 3, 2005
		For PERMISSION-BASED ELECTRONIC MAIL DELIVERY SYSTEM (As Amended)	
		Art Unit 2446	Confirmation No. 8518
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <span style="float: right;">\$540.00</span></p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <span style="float: right;">\$ _____</span></p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input checked="" type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>23-1925</u>.</p> <p><input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p><b>WARNING: Information on this form may become public.</b>  <b>Credit card information should not be included on this form.</b>  <b>Provide credit card information and authorization on PTO-2038.</b></p> <p>I am the:</p> <p><input type="checkbox"/> Applicant/Inventor.</p> <p><input type="checkbox"/> Assignee of record of the entire interest.  See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> Attorney or agent of record.  Registration No. <u>45,712</u>.</p> <p><input type="checkbox"/> Attorney or agent acting under 37 CFR 1.34.  Registration No. if acting under 37 CFR 1.34. _____.</p> <p><b>Note:</b> Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <p><input checked="" type="checkbox"/> *Total of <u>one (1)</u> forms are submitted.</p>			
<div style="text-align: right;">   Signature </div> <div style="text-align: right;"> <u>Sanders N. Hillis</u>  Typed or Printed Name </div> <div style="text-align: right;"> <u>317-636-0886</u>  Telephone number </div> <div style="text-align: right;"> <u>FEB 18, 2010</u>  Date </div>			